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August 4, 2014

VIA CM/ECF

Hon. Dora Lizette Irizarry
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Katz v. Culver Narrows Beer Distributors, Inc.
E.D.N.Y. Case No. 12-CV-4914-DLI-VVP

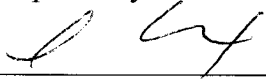
Dear Judge Irizarry:

I am co-counsel for the Plaintiff in the above-referenced matter and am writing in response to Your Honor's July 29, 2014 Order directing Plaintiff to move this case forward by August 12, 2014.

In an effort to prosecute this case effectively, Plaintiff, on July 5, 2013, requested a pre-motion conference in order to discuss with the Court the filing of either a motion for class certification or a motion for default judgment [Doc 15]. Plaintiff refers Your Honor to that document and, in view of the issues set forth in Plaintiff's letter of July 5, 2013, asks Your Honor for clarification from the Court as to whether it prefers that Plaintiff move for class certification first, then move for default judgment. Further, as the issue of how to proceed involves the filing of a motion, the Plaintiff is cognizant of Your Honor's Individual Motion Practice and Rules IV.A.2 and asks the Court for a pre-motion conference, either in person or telephonically, to discuss this matter as we were never able to hold such conference with Judge Block.

I thank the Court for its attention to this matter.

Respectfully Submitted,



Shimshon Wexler

Cc: All Counsel of Record via CM/ECF and overnight mail to the Defendant